

IN THE DRAWINGS

The attached sheets of drawings include changes to Figures 9, 10, and 11. The first sheet, which includes Figure 9, replaces the original sheet including Figure 9. The second sheet, which includes Figure 10, replaces the original sheet including Figure 10. The third sheet, which includes Figure 11, replaces the original sheet including Figure 11.

Attachment: Three Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-15 are pending in this application.

In the outstanding Official Action, the drawings were object to; Claims 1-2, 6-10 and 12-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Takano (U.S. Patent No. 4,581,657) in view of Andoh et al. (U.S. Patent No. 6,472,247, hereinafter "Andoh"); Claims 3-5 and 11 were rejected under 35 U.S.C. §103(a) as unpatentable over Takano and Andoh in view of Miyahara et al. (U.S. Patent No. 6,439,299, hereinafter "Miyahara").

With regard to the objection to the drawings, three replacements sheets are submitted herewith including Figures 9-11. Figures 9-11 are amended to include the label "Background Art." Accordingly, the objection to the drawings is believed to be overcome.

Claims 1-2, 6-10 and 12-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Takano in view of Andoh. Applicant notes that Andoh qualifies as prior art under 35 U.S.C. §102(e), as the present application filing date predates the issue date of Andoh. To the extent the rejections above apply to the present claims, Applicant respectfully traverses the rejections.

As Andoh is §102(e) art, the obviousness rejection is deficient under 35 U.S.C. §103(c) as explained below.

Applicant submits that the present application and the Andoh reference were, at the time the present invention was made, owned by, or subject to an obligation of assignment to Ricoh Company, Ltd. Accordingly, application of the Andoh reference in this obviousness rejection is improper.¹

¹ Applicant notes that the filing date of the present application is after November 29, 1999, therefore bringing the present application under the current guidelines for 35 U.S.C. §103(c) for excluding 102(e) art.

As all the rejections of record rely on Andoh, Applicant respectfully submits these rejections are traversed as Andoh may not be applied as a basis for supporting a *prima facie* case of obviousness as outlined by 35 U.S.C. §103(c).

Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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